

## SUBCOMMITTEE NO. 2

## Outcomes

Alan Lowenthal, Chair  
Darrell Steinberg  
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Monday, May 21, 2007  
Outcomes

### Proposition 84 and Proposition 1E

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## **Vote-Only Calendar**

### **0540 Secretary for Resources**

#### **1. Proposition 84 Statewide Bond Costs**

**Action:** Approve as budgeted

**Vote:** 3-0

### **3600 Department of Fish and Game**

#### **2. Lower Colorado River Multi-Species Habitat Conservation Plan**

**Action:** Approve as budgeted

**Vote:** 2-1 (Wyland)

#### **3. Initial Implementation of Mandated Programs for Critical Flood Infrastructure Improvements**

**Action:** Approve as budgeted

**Vote:** 3-0

### **3640 Wildlife Conservation Board**

#### **4. Natural Communities Conservation Planning Implementation – Proposition 84**

**Action:** Approve as budgeted

**Vote:** 2-1 (Wyland)

#### **5. Program Delivery – Proposition 84**

**Action:** Approve as budgeted

**Vote:** 3-0

## **3790 Department of Parks and Recreation**

### **6. Capital Outlay Projects**

**Action:** Approve as budgeted

**Vote:** 3-0

## **3810 Santa Monica Mountains Conservancy**

### **7. Capital Outlay: Acquisition and Local Assistance Grants**

**Action:** Approve as budgeted

**Vote:** 3-0

## **3825 San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy**

### **8. Proposition 84 Program Delivery Staff**

**Action:** Approve as budgeted

**Vote:** 3-0

## **3830 San Joaquin River Conservancy**

### **9. San Joaquin River Conservancy Acquisitions**

**Action:** Approve as budgeted

**Vote:** 3-0

10. San Joaquin River Conservancy Public Access, Recreation, and Environmental Restoration

**Action:** Approve as budgeted

**Vote:** 3-0

**3835 Baldwin Hills Conservancy**

11. Acquisition and Improvement Program

**Action:** Approve as budgeted

**Vote:** 3-0

**3850 Coachella Valley Mountains Conservancy**

12. Land Acquisition and Improvements

**Action:** Approve as budgeted

**Vote:** 3-0

**3860 Department of Water Resources**

13. Colorado River Management Account – All American and Coachella Canal Lining Projects

**Action:** Approve as budgeted

**Vote:** 3-0

14. Proposition 84 – Fiscal Coordination and Oversight

**Action:** Approve as budgeted

**Vote:** 3-0

## 0540 Secretary for Resources

### 1. San Joaquin River Restoration

**Action:** Subcommittee adopted a substitute motion by Senator Steinberg to approve \$13,869,000 as one-time funding with budget bill language and placeholder trailer bill stating that the various state departments and conservancies working on San Joaquin River must coordinate their efforts on restoration and flood protection. The budget bill language was:

The funds in this item may only be used consistent with the terms of the settlement agreement in NRDC v. Rodgers for studies, baseline monitoring and other research; project planning; and the establishment and operation of the restoration administrator.

**Vote:** 3-0

## 3125 California Tahoe Conservancy

### 1. Implementation of the Environmental Improvement Program for the Lake Tahoe Basin

**Action:** Approve the proposal for bond funds as one-time funding and reject the proposal to make the Habitat Conservation fund off-budget

**Vote:** 3-0

### 2. Lake Tahoe Basin Interagency Fuels Reduction, Forest Restoration, and Biomass Utilization Budget Change Proposal

**Action:** The subcommittee took the following actions:

1. Approve \$716,000 for the Tahoe Conservancy ReGreen activities.
2. Reject \$296,000 for Forester I positions.
3. Approve \$4,100,000 in Proposition 84 bond funds to the California Department of Forestry and Fire Protection and approve \$4,100,000 in reimbursement authority to the California Energy Commission for the CEC to provide competitive grants for biomass utilization projects.

**Vote:** 2-1 (Wyland)

## **3340 California Conservation Corps**

### **1. Proposition 84 Funds**

**Action:** Approve \$263,000 on-going for positions and \$12 million in local assistance funds for local conservation corps

**Vote:** 3-0

## **3480 Department of Conservation**

### **1. Agricultural Land Conservation – Prop 84 Planning Grants and Planning Incentives**

**Action:** Reject budget proposal and adopt placeholder trailer bill language to create a Sustainable Communities Council

**Vote:** 2-0 (Wyland)

### **2. Sustainable Communities – California Green Cities**

**Action:** Reject budget proposal

**Vote:** 3-0

## **3540 Department of Forestry and Fire Protection**

### **1. Urban Greening**

**Action:** Approve \$4,490,000 for grants, projects, contracts, and eight positions. The positions are made permanent while the grant, project, and contract funds are one-time.

**Vote:** 2-1 (Wyland)

## 3600 Department of Fish and Game

### 1. Anadromous Fish Management

**Action:** Approve 9 permanent positions and 6 limited-term positions, approve \$598,000 from the Fish and Game Preservation Fund Steelhead Trout Dedicated Account, and approve \$10,856,000 from Proposition 84. Also adopted the following trailer bill language:

SEC. 2. Section 6217.3 is added to the Public Resources code, to read:

6217.3. (a) Except for the two million five hundred twenty thousand dollars (\$2,520,000) allocated by the department for the Coastal Salmonid Monitoring Plan, the process governing the expenditure of funds as described in Section 6217.1 shall be applied to the expenditure of all remaining funds appropriated to the Department of Fish and Game for coastal salmon and steelhead fishery restoration projects from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Chapter 1 (commencing with Section 75001) of Division 43).

(b) Of the one hundred eighty million dollars (\$180,000,000) made available to the department pursuant to subdivision (a) of Section 75050, up to forty-five million dollars (\$45,000,000) shall be made available for coastal salmon and steelhead fishery restoration projects and the Coastal Salmonid Monitoring Plan.

**Vote:** 2-0 (Wyland)

### 2. San Joaquin River Restoration Implementation

**Action:** Approve \$1,185,000 for 2007-08 and the six permanent positions. Adopt the following budget bill language:

The funds in this item may only be used consistent with the terms of the settlement agreement in NRDC v. Rodgers for studies, baseline monitoring and other research; project planning; and the establishment and operation of the restoration administrator.

**Vote:** 2-1 (Wyland)

## 3640 Wildlife Conservation Board

### 1. Funding for Rangeland, Grazing Land and Grassland Protection Program

**Action:** Approve \$5 million in one-time funding

**Vote:** 3-0



## 2. Funding for Oak Woodland Preservation

**Action:** Approve \$5 million in one-time funding

**Vote:** 3-0

## 3. Integrating Agricultural Activities with Ecosystem Restoration and Wildlife Protection

**Action:** Approve the budget proposal with the following budget bill language:

The funds in this item shall only be for projects with minimum 30-year benefits to wildlife and farmlands.

**Vote:** 2-1 (Wyland)

## 4. Vegetation Mapping and Wildlife Corridors

**Action:** Adopted budget bill language:

3640-301-6051

X) It is the intent of the legislature that the Wildlife Conservation Board use funds appropriated in Public Resources Code Section 75055 (b) to work with the Department of Fish and Game to complete Vegetation Mapping for high priority lands as determined by the board.

XX) It is the intent of the legislature that the Wildlife Conservation board use funds appropriated in Public Resources Code Section 75055 (b) to work with the Department of Fish and Game to complete a statewide assessment of wildlife corridors using existing data available to the department and the board.

Additionally adopted trailer bill language in concept that would codify Vegetation Mapping Criteria that is used by the Department of Fish and Game.

**Vote:** 2-1 (Wyland)

## **3760 State Coastal Conservancy**

### **1. Staffing to Implement Proposition 84**

**Action:** Approve \$465,000 for five positions and reject the \$1,035,000 for consulting fees

**Vote:** 3-0

### **2. Proposition 84 Funds for Coastal Conservancy Programs**

**Action:** Approve requested amount with the following budget bill language:

Of the amount appropriated in this item, \$2,985,000 shall be allocated for projects authorized by the San Diego River Conservancy.

**Vote:** 3-0

### **3. Ocean Protection Council: Capital Projects and Science Applications**

**Action:** Approve funding with the understanding that the funds are one-time only. Staff also recommends that the Subcommittee approve the following budget bill language:

Notwithstanding any other provision of the law, the funds appropriated in this item may not be expended on invasive species maintenance.

**Vote:** 3-0

## **3790 Department of Parks and Recreation**

### **1. Deferred Maintenance Program**

**Action:** Approve budget proposal as three-year limited-term positions

**Vote:** 3-0

### **2. Proposition 1C Parks Funds**

**Action:** Approve \$30 million in one-time Proposition 1C bond funds to be allocated by the Department of Parks and Recreation through a competitive grant process in accordance with the bond and trailer bill language with specific attention to housing-related parks.

**Vote:** 2-1 (Wyland)

### 3. Proposition 84 Planning, Administration for State Park System Allocation

**Action:** Approve 30 positions

**Vote:** 3-0

### 4. Proposition 84 Program Delivery for Local Grant Programs

**Action:** Approve \$1,372,000 from Proposition 84 bond funds for 10.2 positions. None of the funds appropriated will come from Proposition 84, Section 75065(a). Funds for projects and grants will be one-time only.

**Vote:** 3-0

### 5. Capital Outlay May Finance Letters

**Action:** Approve as budgeted the “Los Angeles State Historic Park, Site Development” and the “Calaveras Big Trees State Park, New Visitor Center”. Augment by \$25 million (for a total of \$30 million) the “Statewide: State Park System Opportunity and Inholding Acquisitions”

**Vote:** 2-1 (Wyland)

## 3810 Santa Monica Mountains Conservancy

### 1. Los Angeles River Restoration

**Action:** Adopt the following Supplemental Report Language:

On or before January 10, 2008, the Santa Monica Mountains Conservancy and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy shall submit to the Legislature (including budget and fiscal committees from both houses) on actions that both conservancies have undertaken to help protect and restore habitat along the Los Angeles River. The report shall include information on ways the two conservancies have collaborated on protection and restoration efforts, as well as a cost estimate for the next five years of projects the two conservancies intend to undertake.

**Vote:** 3-0

## **3825 San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy**

### **1. Proposition 84 Capital Outlay and Grants**

**Action:** Approve the budget proposal as one-time funding

**Vote:** 3-0

## **3845 San Diego River Conservancy**

### **1. Urban Greening**

**Action:** Reject the budget proposal

**Vote:** 2-1 (Wyland)

## **3855 Sierra Nevada Conservancy**

### **1. Proposition 84 Grant Funding**

**Action:** Approve \$8,750,000. The funds for projects and grants are one-time while funding for positions is on-going.

**Vote:** 2-1 (Wyland)

## **3860 Department of Water Resources**

### **1. Evaluating and Improving the State's Flood Control System**

**Action:** Adopted Senator Steinberg's substitute motion to reject Governor's trailer bill language, reject staff recommended trailer bill language and supplemental report language, and add \$1,000 to the appropriation.

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 2. Integrated Regional Water Management and Stormwater Flood Management

**Action:** Adopted Senator Steinberg's substitute motion to reject funds for Integrated Regional Water Management and increase the appropriation for Stormwater Flood Management by \$100,000

**Vote:** 2-1 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 3. Urban Streams Proposition 84 Grant Program

**Action:** Approve \$9.1 million one-time funding for local assistance and approve 1.2 positions as on-going

**Vote:** 3-0

## 4. Capital Outlay Provisional Language

**Action:** Adopted Senator Steinberg's substitute motion to reject Governor's provisional language and reject staff recommended budget bill language and adopt placeholder trailer bill language that was not specified at the hearing.

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 5. Capital Outlay

**Action:** Adopted Senator Steinberg's substitute motion to add \$1,000 to each of the capital outlay projects listed in the agenda

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 6. New Proposed Bond: Reliable Water Supply Bond Act of 2008

**Action:** Rejected proposed trailer bill language

**Vote:** 2-1 (Wyland)

## 7. System-wide Levee Evaluations and Repairs

**Action:** Adopted Senator Steinberg's substitute motion to increase appropriation by \$1,000

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 8. System-wide Levee Evaluations and Repairs

**Action:** Adopted Senator Steinberg's substitute motion to increase appropriation by \$1,000 (the AB 142 funds were reverted)

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 9. State-Federal Flood Control System Evaluation

**Action:** Adopted Senator Steinberg's substitute motion to increase appropriation by \$1,000

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 10. Critical Repairs for Non-Project Levees: Local Levee Urgent Repair Program

**Action:** This proposal is informational only since it is from a continuously appropriated section of Proposition 84 (Section 75032) and thus the Legislature cannot alter the appropriation.

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 11. New Feasibility Studies and Levee Evaluations: Local Levee Evaluations Program

**Action:** This proposal is informational only since it is from a continuously appropriated section of Proposition 84 (Section 75032) and thus the Legislature cannot alter the appropriation.

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 12. Enhanced Flood Response and Emergency Preparedness

**Action:** This proposal is informational only since it is from a continuously appropriated section of Proposition 84 (Section 75032) and thus the Legislature cannot alter the appropriation.

**Vote:** 2-0 (Wyland)

NOTE: This action was overturned by the Subcommittee at the May 22, 2007 hearing

## 13. Reappropriation and Extension of Liquidation Request

**Action:** Approve as budgeted

**Vote:** 3-0

## 14. Reappropriation, Extension of Liquidation Period and Reversion for Various Funds

**Action:** Approve all extension of liquidation and reversion (hold over reappropriations)

**Vote:** 2-0 (Wyland)

# 3900 State Air Resources Board

## 1. Lower-Emission School Bus Program

**Action:** The Subcommittee:

1. Increase the appropriation to \$193 million
2. Reject the Governor's trailer bill language
3. Approve trailer bill language specifying that not less than 75 percent of the funds shall be for the purchase of new buses. The trailer bill language should also specify the criteria for certifying and verifying clean school bus technology.

**Vote:** 2-1 (Wyland)

## 2. Trade Corridors Emission Reduction Incentive Program

**Action:** Approve the \$250 million and reject the Governor's trailer bill language. Adopt trailer bill language that specifies the criteria for and amount of money for each of the categories: locomotives, port electrification, harbor craft, trucks, and other. The trailer bill language will also specify the oversight and control mechanisms for the funds.

**Vote:** 2-1 (Wyland)

### 3. Clean Construction Equipment for Bond Funded Projects

**Action:** Adopted trailer bill language that does the following:

1. As a condition of receiving funds for construction projects funded from Propositions 1-B, 1-C, 1-D, 1-E or 84, requires contractors to use construction equipment with diesel particulate matter (PM) filter devices that are verified by the ARB to achieve at least an 85% reduction in diesel particulate matter (i.e. “Level 3” devices) on Tier “0” or Tier “1” uncontrolled equipment.
2. Exempts construction equipment from this requirement if any of the following conditions exist:
  - a. The contractor demonstrates, and the ARB concurs, that the construction equipment cannot be retrofitted due to equipment/device incompatibility, worker-safety restrictions, or unavailability of the device or equipment for purchase or lease in the marketplace.
  - b. The contractor demonstrates, and the ARB concurs, that the contractor has applied and qualified for a Moyer grant but hasn’t yet received funding to assist in defraying the cost of the device.
  - c. The construction project is receiving a de minimus amount of bond funds.
3. Amends the Moyer Program funding and criteria as follows:
  - a. Increase the fees used to fund the program in an amount sufficient to set aside an additional \$20 million per year for the next three years for the exclusive use of retrofitting construction equipment to meet the requirements under (1) above until such time as contractors are otherwise required to retrofit that equipment pursuant to another law, rule or regulation.
  - b. Allow use of Moyer funds for clean construction retrofits/re-powers even if the equipment is not used in a single air basin, provided it is still used in the state.
  - c. Makes other necessary conforming changes to the Moyer program.

**Vote:** 2-1 (Wyland)



## 3940 State Water Resources Control Board

### 1. Proposition 84 Water Programs

**Action:** Approve \$93.6 million for the State Water Pollution Control Revolving Fund, the Urban Stormwater Grant Program, and the Clean Beaches Grant Program, with the project and local assistance funds as one-time and the positions as on-going.

**Vote:** 3-0

### 2. Watershed Protection and Basin Planning

**Action:** Staff recommends that the Subcommittee approve only the Water Basin Plans for \$3.2 million, but that the Subcommittee shift the funding source from Proposition 84, Section 75065(c) to a reimbursement from Section 75041. Also, augment DWR budget by \$3.2 million from 75041.

**Vote:** 2-1 (Wyland)

## CALFED

### 1. CALFED Science Program Research Grants

**Action:** Hold open

**Vote:** Not taken

### 2. CALFED Supplemental Programmatic Analysis

**Action:** Reject proposal

**Vote:** 3-0

### 3. CALFED Ecosystem Restoration Program Implementation

**Action:** Reject proposal

**Vote:** 3-0

#### 4. CALFED Ecosystem Restoration Program – Central Valley HCP/NCCP Development

**Action:** Reject proposal

**Vote:** 3-0

#### 5. Delta Water Quality Program

**Action:** Reject proposal

**Vote:** 2-0 (Wyland)